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19 Attorneys for People of the State of California *ex rel.*  
20 Edmund G. Brown Jr., Attorney General of the State  
21 of California

22  
23 IN THE UNITED STATES DISTRICT COURT  
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25 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
26  
27 SAN FRANCISCO DIVISION

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30 **PEOPLE OF THE STATE OF CALIFORNIA**  
31 *ex rel. EDMUND G. BROWN JR.,*  
32 **ATTORNEY GENERAL OF THE STATE OF**  
33 **CALIFORNIA,**

34 Plaintiff,

35 v.  
36  
37 **ENVIRONMENTAL PROTECTION**  
38 **AGENCY,**

39 Defendant.

40 Case No.: C 08-00735 SC

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43 **PLAINTIFF'S NOTICE OF**  
44 **MOTION AND MOTION FOR**  
45 **VAUGHN INDEX**

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47 Date: April 25, 2008  
48 Time: 10:00 a.m.  
49 Place: Courtroom 1, 17th Floor  
50 Judge: Hon. Samuel Conti

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52 TO DEFENDANT ENVIRONMENTAL PROTECTION AGENCY AND ITS  
53 ATTORNEYS OF RECORD:

54 PLEASE TAKE NOTICE that on April 25, 2008, at 10:00 a.m., or as soon thereafter  
55 as the matter may be heard in the above-entitled Court, located at 450 Golden Gate Avenue, San  
56 Francisco, California 94102.

1 Francisco, CA 94102, the People of the State of California, by and through Plaintiff Edmund G.  
2 Brown Jr., Attorney General of the State of California, will and hereby do move the Court for an  
3 order requiring defendant to provide, within 14 days of the Court's order, a detailed justification  
4 for the allegation contained in its answer that the requested documents are exempt from  
5 disclosure under the Freedom of Information Act, 5 U.S.C. § 552, *as amended*, together with an  
6 itemized index of the documents withheld that are the subject of this suit, indicating in detail,  
7 with respect to each document or segregable portion thereof, the nature of the information  
8 contained in it and the justification for withholding it. *See Vaughn v. Rosen*, 484 F.2d 820 (D.C.  
9 Cir. 1973), *cert. denied*, 415 U.S. 977 (1974). The grounds for this motion are more fully set  
10 forth in Plaintiff's Memorandum of Points and Authorities filed herewith. Plaintiff requests a  
11 hearing on this motion.

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Dated: March 21, 2008

Respectfully submitted,

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THEODORA BERGER  
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/S/ LAURA J. ZUCKERMAN

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Deputy Attorney General

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*ex rel.* Edmund G. Brown Jr., Attorney  
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